



April 10, 2009

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## ENGROSSED HOUSE BILL No. 1593

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DIGEST OF HB 1593 (Updated April 8, 2009 1:20 pm - DI 104)

**Citations Affected:** IC 25-36.1.

**Synopsis:** Practicing as a surgical technologist. Specifies individuals who may perform surgical technology functions in a health care facility setting. Places responsibility on an employee who wishes to perform surgical technology functions in a health care facility to provide the individual's health care facility employer with evidence that the employee meets specified conditions. Specifies qualifications for an operating room circulator.

**Effective:** July 1, 2009.

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**Moseley, Welch, Brown T, Dodge**  
(SENATE SPONSORS — MILLER, TAYLOR, CHARBONNEAU, TALLIAN)

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January 16, 2009, read first time and referred to Committee on Public Health.  
February 9, 2009, reported — Do Pass.  
February 12, 2009, read second time, ordered engrossed. Engrossed.  
February 16, 2009, read third time, passed. Yeas 98, nays 0.

SENATE ACTION

February 23, 2009, read first time and referred to Committee on Health and Provider Services.  
April 9, 2009, amended, reported favorably — Do Pass.

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EH 1593—LS 7348/DI 104+



April 10, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1593

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A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-36.1-2 IS ADDED TO THE INDIANA CODE  
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2009]:

4 **Chapter 2. Practicing Surgical Technology**

5 **Sec. 1. As used in this chapter, "health care facility" means the**  
6 **following:**

- 7 (1) **A hospital that is licensed under IC 16-21-2.**  
8 (2) **An ambulatory outpatient surgical center licensed under**  
9 **IC 16-21-2.**  
10 (3) **A birthing center licensed under IC 16-21-2.**  
11 (4) **An abortion clinic licensed under IC 16-21-2.**

12 **Sec. 2. As used in this chapter, "operating room circulator"**  
13 **means an individual who is:**

- 14 (1) **licensed as a registered nurse under IC 25-23;**  
15 (2) **educated, trained, and experienced in perioperative**  
16 **nursing, as determined by the health care facility; and**  
17 (3) **responsible for coordinating all nursing care, patient**

EH 1593—LS 7348/DI 104+



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1 safety needs, and needs of the surgical team in the operating room  
2 during a surgical procedure.

3 Sec. 3. As used in this chapter, "surgical technology" means  
4 intraoperative surgical patient care that involves the following:

5 (1) Preparing the operating room for surgical procedures by:

6 (A) ensuring that surgical equipment is functioning  
7 properly and safely; and

8 (B) preparing sterile supplies, instruments, and equipment  
9 using sterile technique.

10 (2) Anticipating the needs of the surgical team based on  
11 knowledge of human anatomy and pathophysiology relating  
12 to the surgical patient and the patient's surgical procedure.

13 (3) Performing tasks in an operating room setting in the  
14 sterile field, including the following:

15 (A) Passing supplies, equipment, or instruments.

16 (B) Suctioning or sponging an operative site.

17 (C) Preparing and cutting suture material.

18 (D) Transferring and irrigating with fluids.

19 (E) Transferring, without administering, drugs within the  
20 sterile field.

21 (F) Handling specimens.

22 (G) Holding retractors.

23 (H) Assisting in counting sponges, needles, supplies, and  
24 instruments with an operating room circulator as allowed  
25 under section 6 of this chapter.

26 Sec. 4. This chapter does not prohibit a licensed practitioner  
27 from performing surgical technology functions if the practitioner  
28 is acting within the scope of the practitioner's license.

29 Sec. 5. (a) An individual may not practice surgical technology in  
30 a health care facility unless the individual meets one (1) of the  
31 following requirements:

32 (1) Is certified under IC 25-36.1-1.

33 (2) Has completed a surgical technology program provided by  
34 the United States Army, Navy, Air Force, Marine Corps, or  
35 Coast Guard, or the commissioned corps of the United States  
36 Public Health Service.

37 (3) Provides evidence to the health care facility that the  
38 individual was employed to practice surgical technology in a  
39 health care facility before July 1, 2009.

40 (4) Is performing duties related to the individual's  
41 employment by the federal government.

42 (5) Is practicing surgical technology during the twelve (12)

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month period immediately following the completion of a degree from an accredited school of surgical technology.

(6) Has the appropriate abilities, as determined by the health care facility.

(b) An individual who is:

(1) described in subsection (a)(1), (a)(2), or (a)(3); and

(2) practicing surgical technology in a health care facility; annually shall complete fifteen (15) hours of continuing education concerning surgical technology in order to continue practicing surgical technology.

(c) An individual who wants to practice surgical technology in a health care facility is responsible for establishing to the satisfaction of the health care facility that the individual has complied with this chapter.

(d) An individual practicing surgical technology in a health care facility is responsible for immediately notifying in writing the governing body of the health care facility, or the governing body's designee, of any changes in the individual's compliance with this chapter.

(e) A health care facility shall maintain copies of any written documentation provided by the individual to the health care facility under subsection (c) or (d) to show compliance with this chapter.

Sec. 6. (a) An individual described in section 5(a) of this chapter may assist an operating room circulator in performing circulating duties if the individual:

(1) has the necessary education, training, and experience, as determined by the health care facility; and

(2) is:

(A) assigned to perform the tasks by the health care facility; and

(B) supervised;

by the operating room circulator.

(b) The operating room circulator shall be present in the operating room for the duration of the surgical procedure. However, the operating room circulator may leave the operating room for a short period of time as prescribed by the health care facility's policies.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1593, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN C, Chair

Committee Vote: yeas 8, nays 0.

## COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1593, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, delete "includes" and insert "**means**".

Page 1, line 7, delete ":" and insert "**that is licensed under IC 16-21-2.**".

Page 1, delete lines 8 through 11.

Page 2, line 3, delete "nursing;" and insert "**nursing, as determined by the health care facility;**".

Page 2, line 41, after "evidence" insert "**to the health care facility**".

Page 3, between lines 6 and 7, begin a new line block indented and insert:

**"(6) Has the appropriate abilities, as determined by the health care facility."**

Page 3, line 13, delete "A health care facility employer shall do the following:" and insert "**An individual who wants to practice surgical technology in a health care facility is responsible for establishing to the satisfaction of the health care facility that the individual has complied with this chapter.**

**(d) An individual practicing surgical technology in a health care facility is responsible for immediately notifying in writing the governing body of the health care facility, or the governing body's designee, of any changes in the individual's compliance with this chapter.**

**(e) A health care facility shall maintain copies of any written documentation provided by the individual to the health care facility under subsection (c) or (d) to show compliance with this**

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**chapter."**

Page 3, delete lines 14 through 24.

Page 3, line 28, delete "experience;" and insert **"experience, as determined by the health care facility;"**.

Page 3, line 30, delete "tasks;" and insert **"tasks by the health care facility;"**.

Page 3, line 34, delete "procedure unless" and insert **"procedure. However, the operating room circulator may leave the operating room for a short period of time as prescribed by the health care facility's policies."**

Page 3, delete lines 35 through 38.

and when so amended that said bill do pass.

(Reference is to HB 1593 as printed February 10, 2009.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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